

# SUMMARY

## B.H.Q.A. MEETING OF MARCH 8, 2006

**MEMBERS PRESENT:** Ben Mitchell, Susie Hamilton, Kristopher Floyd, Sandi Cole, Elizabeth Gallman,

**MEMBERS ABSENT:** Brent Thompson, Nikki Montembeault

**STAFF PRESENT:** Lisa Abbott, Barry Collins, Rhonda Helms, John Hewitt, Carol Jack, Mike Arnold, Kevin Bowlen, Jo Stong, Robert Hoole

**OTHERS PRESENT:** Sherri Hillenburg, Doran May, Ted Shoufler, Tom Jochim, Melissa Clark, Travis Vencel, Alphonso Manns, Ted Najam

Chairman, Mitchell called the meeting to order on 03/08/06 at 4:00 p.m.

The Summary for February 8, 2006 meeting was submitted for approval. Hamilton made a motion to approve the minutes; Cole seconded. 4-0

### **OLD BUSINESS**

**405 ½ S. Walnut**, Doran May, 06-V-17 Owner was present to request a special exception to the minimum egress requirements.

Staff reported that the bedroom windows in apartments #2, #3, #4, and #8 did not meet the minimum egress requirements of the code. The rough openings in these bedroom windows have been altered so that the window style air conditioner units have been permanently installed, which resulted in an increase in the window sill height. The owner requested a special exception to the minimum egress requirements.

Staff recommended that the Board deny the variance and a code compliant window be installed in each bedroom in apartments #2, #3, #4 and #8 by 05-08-06.

Hamilton made a motion to grant the variance and install egress aids in the four apartments; Mitchell seconded. Hamilton amended the motion to include installing hardwired interconnected smoke detection. Mitchell seconded. 3-2 [Floyd and Cole voted no]

Floyd made a motion to grant the variance, without installing egress aids, with the condition that hardwired interconnected smoke detection be installed by 05-08-06; Hamilton seconded. 3-2 [Hamilton and Cole voted no] *motion failed*

### **NEW PETITIONS**

**4535 W. Middle Ct.**, Sally Walker, 06-TV-28 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time to complete repairs until 05-08-06.

Floyd made a motion to grant an extension of time to complete repairs until 05-08-06; Cole seconded. 5-0

**118 E. 17<sup>th</sup> St.**, Lance Weidner, 06-V-29 Owner was not present to request a special exception to the minimum egress requirements.

Staff recommended that the Board grant a variance for the minimum egress requirements in the basement units, with the condition that the hardwired smoke detectors be maintained in working order at all times.

Floyd made a motion to grant the variance according to the staff recommendation and condition, and noted that the variance would be rescinded if found not in compliance; Hamilton seconded. 5-0

**1322 S. Washington**, Jennifer Hart, 06-V-30 Owner was not present to request a special exception to the minimum ventilation requirement.

Staff reported that the house is equipped with central air conditioning and recommended that the Board grant a special exception to the minimum ventilation requirement.

Hamilton made a motion to grant the variance; Gallman seconded. 5-0

**300 N. Bryan Ave.**, Venture Properties, 06-V-31 Owner was not present to request a special exception to the minimum egress requirements.

Staff reported that the windows in the bedrooms do not meet the minimum requirements for egress and did not at the time of construction. Staff recommended that the Board grant the egress variance with the condition that single and multiple-station smoke alarms shall be installed in the following locations: In each sleeping room; outside of each separate sleeping area in the immediate vicinity of the bedrooms; in each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. When one or more smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. Staff recommended a compliance date of 05-08-06.

Mitchell made a motion to grant the variance according to the staff recommendation and condition; Cole seconded. 5-0

**928 S. Ballantine Rd.**, M. Katherine Seidl, 06-V-32 Owner was not present to request a special exception to the minimum egress requirements; Request an extension of time to complete repairs.

Staff reported that the awning windows in the three bedrooms did not meet the egress requirements. Staff recommended that the Board deny the variance and one window be installed in each bedroom by 06-12-06. Staff recommended that the Board grant an extension of time until 03-31-06 to complete all repairs other than the window replacement.

Hamilton made a motion to deny the egress variance according to the staff recommendation, and grant an extension of time until 04-30-06 for all other repairs; Cole seconded. Hamilton amended her motion to include a deadline of 06-12-06 for window replacement and a deadline of 04-30-06 for all other repairs; Cole seconded. 5-0

**411 S. Parkway**, Pegasus Properties, 06-V-33 Owner was not present to request a special exception to the minimum egress requirements; Request an extension of time to complete repairs.

Staff reported that each bedroom window sill height exceeded the maximum allowable sill height requirement. The bedroom windows in apartments #1, #2, #4 and #6 failed to meet the minimum openable square footage requirements for egress. The petitioner requests an egress variance, and an extension of time to complete the guardrail repairs.

Staff recommended that the Board grant a variance to the egress requirements in all bedrooms with the following conditions: that a code compliant window with a total openable square footage of 5.75 square feet or greater be installed in the bedrooms of apartments #1, #2, #4 and #6. Single and multiple-station, hardwired smoke alarms shall be installed in the following locations and in accordance with the following criteria in each apartment: In each sleeping room; outside of each separate sleeping area in the immediate vicinity of the bedrooms; in each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. When one or more smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Staff recommended a compliance deadline of 08-15-06.

Mitchell made a motion to grant the variance according to the staff recommendation and conditions; Gallman seconded. 5-0

**1724 E. Hillside**, Elkins Apts., 06-V-34 Agent was present to request a special exception to the minimum egress requirements.

Staff reported that the window sill height in the bedrooms is 48". The units are already equipped with hardwired interconnected smoke detectors. Staff recommended that the Board grant the egress variance with the condition that the smoke detectors shall remain functioning at all times.

Mitchell made a motion to grant the variance according to the staff recommendation and conditions; Hamilton seconded. 5-0  
Mitchell amended his motion to not limit the rental permit to a 3-year permit; Gallman seconded. 5-0

**709 W. Wylie**, Thomas Jochim, 06-TV-35 Owner was present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 11-08-06.

Hamilton made a motion to grant an extension of time until 11-08-06; Gallman seconded. 5-0

**526 S. Woodlawn #2**, Chris Clark, 06-V-36 Owner was present to request a special exception to the bathroom ventilation requirement.

Staff recommended that the Board grant a special exception to the bathroom ventilation requirement.

Cole made a motion to grant the variance according to the staff recommendation; Floyd seconded. 5-0

**812 S. Stull**, Fierst Rentals, 06-V-37 Owner was not present to request a special exception to the minimum egress requirements.

Staff reported that the bedroom windows do not meet the minimum requirement for egress. The windows are crank-outs with a clear width of 14 inches. Staff recommended that the Board deny the variance with the condition that the windows shall be modified to meet the 16 inches in clear width by 05-08-06.

Mitchell made a motion to deny the request with the condition that the windows shall be modified to meet the 16 inches in clear width by 06-08-06; Gallman seconded. 5-0

**710 E. 2<sup>nd</sup> St.**, Vencel Properties, 06-V-38 Owner was present to request a special exception to removing the electrical panel from the bathroom.

Mitchell made a motion to table the petition until the April meeting; Hamilton and Gallman seconded. 5-0

**2479 Brittany Lane**, Alphonso Manns, 06-TV-39 Owner was present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 04-09-06.

Cole made a motion to grant an extension of time until 04-09-06; Gallman seconded. 5-0

**657-659 N. Walnut**, Realco, 06-V-40 Owner was present to request a special exception to the minimum handrail requirement; Request an extension of time to complete repairs.

Staff reported that the property does not have a handrail on the first flight of stairs, and no guardrail on the southern walkway. Staff recommended that the Board deny the variance and grant an extension of time until 06-08-06 to complete repairs.

Cole made a motion to deny the special exception to the minimum handrail requirement, and grant an extension of time until 06-08-06 to complete repairs; Floyd seconded. 5-0

**200 S. Yancy Lane**, Dorothy Dowdy, 06-AA-41 Owner was not present to request relief from the rental inspection process.

Gallman made a motion to table the petition until the April meeting; Floyd seconded. 5-0

**ADJOURNMENT:** Meeting adjourned at 5:22 p.m.